REMARKS:

In the outstanding Final Office Action, claims 1-7 were rejected. Claim 1 has been amended, and new claim 8 has been added. Thus, claims 1-8 are pending and under consideration. No new matter has been added. The rejections are traversed below.

REJECTION UNDER 35 U.S.C. §102(e):

In the outstanding Final Office Action, claims 1, 2 and 4-7 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2003/0177030 (Turner).

Turner discusses a patient information system having a publicly accessible computer server and an access limiting security subsystem. In Turner, caregivers, responsible parties, a patient, etc., upon clearance through predetermined security levels, can access patient information (see, paragraphs 22 and 25). Predetermined security levels indicate the amount of access that users will be granted upon entry into the system (see, FIG. 2 and corresponding text). That is, the predetermined security levels of Turner are preset or predefined, and are not changeable by the users of the patient information system. For example, anyone without any legal responsibility for the patient, such as friends, distant relatives, etc., is assigned to a first security level and has access to non-confidential discharge and background information. (see, paragraph 26).

In contrast, the present invention is directed to an information managing device and method that enables access to information in accordance with an information disclosure procedure previously defined or customized by the individual. That is, the information disclosure procedure of the present invention is enabled to be "customized" by each individual user so that each of the individual users prescribes what information is to be disclosed with what information disclosure procedure.

As recited in independent claim 1, a disclosure procedure storing section registers an information disclosure procedure assigned to each individual, where "the information disclosure procedure [is] customized by each user ". This enables each user to specify or prescribe what information is to be disclosed with what information disclosure procedure.

This is unlike Turner that utilizes predetermined security levels that are not changeable by the users of the patient information system. Thus, Turner does not teach or suggest information disclosure procedure assigned to each individual, where "the information disclosure

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procedure [is] customized by each user, as recited in independent claim 1.

It is submitted that the independent claims are patentable over Turner.

For at least the above-mentioned reasons, claims depending from independent claim 1 are patentably distinguishable over Turner. The dependent claims are also independently patentable. For example, as recited in claim 2, the disclosure procedure storing section is registered with "an information disclosure procedure according to each rank within each individual assigned by each individual", and the disclosure procedure executing section "executes an information disclosure procedure stored in the disclosure procedure storing section that matches an information disclosure procedure corresponding to a rank of the information on the specific individual of which disclosure request has been received". The Turner method does not teach or suggest, providing "an information disclosure procedure according to each rank within each individual assigned by each individual", and executing "an information disclosure procedure stored in the disclosure procedure storing section that matches an information disclosure procedure corresponding to a rank of the information on the specific individual of which disclosure request has been received".

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. §103(a):

Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Turner in view of EP 0950972 (Platenghe).

The Examiner acknowledges that Turner does not specifically mention "handling a request at an emergency time", thus relies on Platenghe as teaching the same. However, Platenghe is limited to accessing stored data upon an occurrence of an event (see, Abstract). For example, when an owner dies, a password, a key, etc., of the owner become part of the owner's estate and can be handled as part of a typical estate settlement (see, paragraphs 21 and 23). Thus, the combination of Turner and Platenghe does not teach or suggest, "information disclosure procedure... customized by each user" (claim 1 upon which claim 3 depends) including registering "an information disclosure procedure at a normal time for each individual assigned by each individual, and an information disclosure procedure at an emergency time for each individual assigned by each individual", as recited in dependent claim 3.

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NEW CLAIM:

New claim 8 has been added to recite a method for managing information of users including "allowing each of the users to define an information disclosure procedure necessary to access respective information of each of the users" and "transmitting information of a specific user responsive to an input of an information disclosure procedure that matches the defined information disclosure procedure specific to the user".

It is respectfully asserted that new claim 8 is patentably distinguishable over the cited references.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.
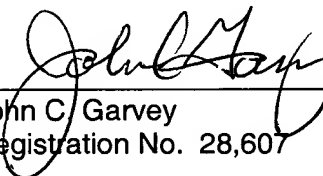
Respectfully submitted,

STAAS & HALSEY LLP

Date: _____2-25-05_____   By: _____

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